

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KURT ANGELONE,

Plaintiff,

V.

MARK FURSI, *et al.*,

Defendants.

Case No. C07-5538 RJB/KLS

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation (Dkt. 25), and the remaining record, does hereby find and **ORDER**:

- (1) Plaintiff objects to the Report and Recommendation, contending that Defendants' denial of medications constitutes deliberate indifference to Plaintiff's serious medical need. At this point, Plaintiff has not shown that he is likely to prevail on the merits because all he has shown, at most, is a difference of opinion between the consulting neurologist and prison health care providers. Further, Plaintiff has not shown irreparable harm absent the Court's intervention, because he has not shown that the treatment ordered by prison officials is causing irreparable harm to him; Plaintiff has not shown whether and to what extent his reliance on the medical literature included in his objections applies to him or his condition.
- (2) The Report and Recommendation (Dkt. 9) is **ADOPTED**.
- (3) Plaintiff's motion for preliminary injunction (Dkt. 4) is **DENIED**.
- (4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants and to the Hon. Karen L. Strombom.

DATED this 3rd day of January, 2008.

Robert J. Bryan
ROBERT J. BRYAN
United States District Judge

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